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PTO/SB/30 (06-00)

Approved for use through 10/31/2002. GMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/606,433
Filing Date	June 28, 2000
Examiner Name	Seaman, D.
First Named Inventor	McGee, Lawrence R.
Group Art Unit	1625
Attorney Docket Number	018781-002710US

SEP 19 2002

PETITIONS OFFICE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. **NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii.  Other \_\_\_\_\_

b. Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other PETITION TO WITHDRAW FROM ISSUE AFTER PAYMENT OF ISSUE FEE – 37 CFR § 1.313(c)(2)

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(a) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430

i.  RCE fee required under 37 C.F.R. § 1.17(e)

ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Frank J. Mycroft	Registration No. (Attorney/Agent)	46,946
Signature	<i>Frank J. Mycroft</i>	Date	September 19, 2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Attn: Francis Hicks at Fax No. (703) 308-6916 on September 19, 2002

Typed or printed name	Masha M. Martinenko		
Signature	<i>Masha M. Martinenko</i>	Date	September 19, 2002

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 1050)

Complete if Known	
Application Number	09/608,433
Filing Date	June 28, 2000
First Named Inventor	McGee, Lawrence R.
Examiner Name	Seaman, D.
Group Art Unit	1625
Attorney Docket No.	018781-002710US

SEP 19 2002

PETITIONS OFFICE

#### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

#### FEE CALCULATION

##### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	208 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		(\$)	

##### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Fees from below		Fee Paid
			Extra Claims	Fee	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	208 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		(\$)

\* or number previously paid, if greater. For Reissues, see above

#### FEE CALCULATION (continued)

##### 3. ADDITIONAL FEES

Large Entity	Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath		
127 50	227 25	Surcharge - late provisional filing fee or cover sheet		
139 130	139 130	Non-English specification		
147 2,520	147 2,520	For filing a request for reexamination		
112 920*	112 920*	Requesting publication of SIR prior to Examiner action		
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		
115 110	215 55	Extension for reply within first month		
116 400	218 200	Extension for reply within second month		
117 920	217 460	Extension for reply within third month		
118 1,440	218 720	Extension for reply within fourth month		
128 1,960	228 980	Extension for reply within fifth month		
119 320	219 160	Notice of Appeal		
120 320	220 160	Filing a brief in support of an appeal		
121 280	221 140	Request for oral hearing		
138 1,510	138 1,510	Petition to Institute a public use proceeding		
140 110	240 55	Petition to revive - unavoidable		
141 1,280	241 640	Petition to revive - unintentional		
142 1,280	242 640	Utility issue fee (or reissue)		
143 460	243 230	Design issue fee		
144 620	244 310	Plant issue fee		
122 130	122 130	Petitions to the Commissioner	130	
123 50	123 50	Petitions related to provisional applications		
126 180	126 180	Submission of Information Disclosure Stmt	180	
5B1 40	581 40	Recording each patent assignment per property (times number of properties)		
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))		
149 740	249 370	For each additional invention to be examined (37 CFR § 1.128(b))		
179 740	278 370	Request for Continued Examination (RCE)	740	
169 900	169 900	Request for expedited examination of a design application		
Other fee (specify)				

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$1050)

#### SUBMITTED BY

Name (Print/Type)	Frank J. Mycroft	Registration No. (Attorney/Agent)	48,946	Telephone	925-472-5000
Signature	<i>Frank J. Mycroft</i>			Date	September 19, 2002

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